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ADDRESS ON THE ADMINISTRATION OF THE TRANSKEIAN TERRITORIES.

DELIVERED BY

LIEUT.-COLONEL E. H. W. MULLER,

SECRETARY AND TREASURER OF THE TRANSKEIAN TERRITORIES GENERAL COUNCIL.

ON THE OCCASION OF THE VISIT TO UMTATA, ON THE 15TH SEPTEMBER, 1924, OF THE DELEGATES ELECTED BY THE BRANCHES OF THE EMPIRE PARLIAMENTARY ASSOCIATION IN THE PARLIAMENTS OF THE UNITED KINGDOM, CANADA, AUSTRALIA, AND NEW ZEALAND.

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The delegates elected by the branches of the Empire Parliamentary Association in the Parliaments of the United Kingdom, Canada, Australia and New Zealand, visited Umtata, in the course of their tour in the Union of South Africa, on the 15th September, 1924. Arrangements had been made for them to be addressed by Lieut.-Col. Muller, Secretary and Treasurer of the Transkeian Territories and Pondoland General Councils, on the subject of Native administration in the Transkeian Territories. At an early hour the delegates assembled accordingly in the Hall where the Transkeian Territories General Council holds its sessions. The Chief Magistrate, Mr. W. T. Welsh, presided, and in a short address said it gave him very great pleasure indeed to welcome the delegates to Umtata, the principal town of these Territories, and the centre from which the administration was carried on. When they were notified that a Parliamentary Delegation from Great Britain and the Dominions was to visit South Africa they were very anxious that they should come to that part of the Union, and they were very glad indeed when they were informed that the delegates would come to Umtata. Unfortunately the time allotted was very short, and they were unable to do much in one day. He had decided that the best thing to do in order that the delegates might get some knowledge of the work carried on there, would be to get Col. Muller, Secretary and Treasurer to the General Council, who was responsible for a great deal of the administration of the Transkeian Territories to prepare an address which he would deliver to them. He wished on behalf of the administration to extend a cordial welcome to the delegation. They felt highly honoured that they had included that portion of the Union in their tour. He knew from his experience yesterday at Butterworth and Teko that the delegates were much interested in Native questions and problems, which the Administration was trying in a humble way to solve. In that part the Administration was different from the

rest of the Union and the Protectorates, as they would gather from the address which would be given by Col. Muller, who would give the lines upon which they were trying to work out the Native problem. He would now ask Col. Muller to address them.

ADDRESS BY COL. MULLER.

MR. CHIEF MAGISTRATE, MY LORD, LADIES AND GENTLEMEN:

Before entering upon a description of the system of administration in these Territories it will be necessary to throw a little light upon the past history of the Native inhabitants. It will only be possible to do so in the broadest outline and details of the utmost importance to local administration will have to be slurred over. Very little is known, prior to the sixteenth century, of the history of the Bantu people to whom these Natives belonged. It is clear however that the origin of the race was somewhere in the Great Lake Country of Africa. As the numbers increased, the tribal fights occasioned by the struggle for land and for a living make the history of the people one of frequent migration. I shall make no reference to that section of the Bantu people which inhabits the interior districts of the Union, but shall confine my remarks to what may be called the Eastern Group, of which the principal tribes known to-day are the Zulu, the Amampondo, the Abatembu, the Amaxosa and a collection of broken tribes from Natal now known as the Fingos. The Eastern group some time during the early part of the sixteenth century cut its way from the Atlantic through the intervening hordes that occupied the interior, and reached Natal. The North was strongly occupied, so they spread down the coast through Natal, through the present Transkeian Territories into the Cape Province.

The advance guard exterminated the males of the Hottentot clans whom they encountered as they went South, but incorporated the women in the tribe, and through them acquired the three clicks that differentiate their language from that of other Bantu tribes.

In 1811 the Fish River near Grahamstown was the boundary between the Natives and the old Cape Colony. From that date onward and until 1881 were periodical wars between the Natives and the Europeans. The Natives were repeatedly beaten but the Colonial Office was loath to annex their country. It was not until 1847 that the Kei River, which you crossed on the way to Umtata, became the boundary of

the Cape Colony. The first contact of the Europeans with the Natives living on this side of the Kei was in 1828 when the Zulu Chief Tshaka had set all the tribes of South Africa in motion. The Amampondo and the Abatembu were being driven towards the Colony and the Government sent up a military expedition which, with the help of the Amaxosa and the Abatembu, defeated the intruders in the mountains near Umtata, and enabled the inhabitants of these Territories to return to their former places of abode. The defeated Natal tribes were dispersed among the Natives but were subsequently collected by the British Government and located in the country surrounding King William's Town. The country now known as East Griqualand, then called No Man's Land, was used for the settlement of the tribes that had come in from outside and had no place to live in.

This brief account of how these Territories came to be occupied by Bantu people must suffice. It will now be necessary to consider what manner of people they were.

The social anthropologist tells us that they have gone several steps beyond the most primitive folk. The Bushman, for instance, lived simply by hunting and on the fruits which nature produced without the aid of man. The primitive Hottentot had domesticated cattle and sheep, but had not learnt to grow crops for his own use. The Bantu, however, had taken the further step and although his only implement was a crude hoe, he had thereby acquired a more permanent hold upon this planet. His methods were wasteful. He would burn down forests full of timber to get a small land. You can see the results in these Territories to-day.

His social organisation which will be dealt with shortly shows clearly that he is far removed from the primitive races of man. Nevertheless his place in the scale of evolution is probably more nearly allied to the primitive man than to that of the more advanced people. There is an enormous difference between the social and political organisation of the Bantu and of the European, and the difference in their mentality is as great. Too much stress cannot be laid on this point, and with your forebearance I shall endeavour to make it plain.

Primitive folk like the Bushmen roam about the country in little independent groups, and have no laws. Their organisation is extremely simple. The Bantu in these Territories had reached a much more advanced stage. Their clans were held together in the tribal system. The chief of the tribe and the heads of the clan who were usually of royal blood had a semi-sacred status. When a Bantu Walter Scott

arises he will be able to tell tales of loyalty and devotion that would compare with those of the Highland clans of Scotland. The clans were fairly self-contained, but the paramount chief of a tribe composed serious quarrels between them, and with his councillors heard appeals from the decisions of the heads of clans. Any offence against the person of a member of the tribe was regarded as an offence against the person of the chief and punishable by fines paid to the chief. Even on the death of a person from natural causes the nearest relative used to make the chief a present to console him for the loss suffered by the tribe. In war the paramount chief took supreme command and his word was law at all times. This enabled some chiefs to set up a despotism of the severest kind, but as a rule the arbitrary power of the chief was tempered by the advice of his councillors and there were limits beyond which he could not bring compulsion to bear upon his people.

Polygamy was practised by the Natives as a part of their social organisation. Incidentally it was the most practical way of providing for the chronic surplus of females due to the frequent wars. The dowry system which is common to nearly all primitive people was universal among our Natives. The parents of the bride are compensated for the loss of the bride by an exchange of cattle. As cattle used to be the main support of the tribe they were, as is the custom with primitive people, so bound up with the ritual of the tribe as to acquire a special character. This they still retain to such an extent that the ordinary Native will not sell any of his cattle except as a last resort. In the case of a commoner his first wife is known as his great wife, and his second wife as the right hand wife, each subsequent wife being allotted either to the great house or right hand house. Exception is however made in the case of a chief. As he advanced in age and power he would make alliances of successively greater importance and his great wife was the girl of highest rank whom he usually married late in life. This had an important effect upon the tribe as his heir would often be a minor while the heir to the right hand house may have grown up and been provided with followers and an establishment of his own in the days when there was plenty of room for all. This led to the splitting up of tribes into separate entities of which a striking example is that of the Gcaleka and Gaika tribes, the latter of whom had gone beyond the Kei.

There is no sign of welding the different tribes into that great social unit the *Nation* such as we have in Europe,

With regard to his mentality I must mention that no

Bantu in his natural state regards himself as a unit. He with his family is a part of the clan. His whole thoughts are in terms of his clan or tribe. Every member of a clan is responsible for the deeds and misdeeds of every other member. Individual responsibility is a conception entirely foreign to his way of thinking, and all his customs are based upon the unity of the clan. The members of a European nation would be horrified if a whole sib were to be penalised for the misconduct of a single member of the sib. The Native used to think it quite the right thing to do. Within the Native clan there is no destitution unless all are destitute. Food is practically common property, shared by all alike as long as any food remains to be shared. This is not the case in an individualistic state.

Then there is his outlook on life. The advanced European has after many years of mental effort discovered that certain effects invariably follow certain causes. If you are bitten by a malaria-carrying mosquito you know that you are likely to contract malaria, and will take action accordingly. The Native does not do so. His first thought is to consult a witch-finder to ascertain whether his ancestors who, though they are invisible, are not dead but part of the clan, are angry with him, or whether some wizard or witch has put a spell upon him. The ancestors, if found responsible, would be appeased by sacrifice, but the living sorcerers would be killed. So great is their horror of witchcraft that though the Native is not cruel by nature he considers no torture too severe for anyone who practises malignant sorcery. In Europe people put aside their pennies for a rainy day. In South Africa those who are wise make the same preparation for a drought; but not so the Native. He calls in the Rain Doctor to make rain or drive away a hailstorm by means of charms and incantations. The European fertilises his field but the Native makes magic to ensure a crop. Recently in the Northern Transvaal the head of a man who had a fertile land was cut off and thrown into the grain bin of his chief to communicate the virtue of his magic to the seed contained therein.

With the knowledge the European has obtained he has established a certain amount of control over the forces of nature, but the Native lives in an atmosphere of constant fear lest the departed spirits of some wizard or witch should interfere with the ordinary course of nature to bring harm upon him or upon his tribe.

I shall give one illustration of the power of the tribal priest, in a case which profoundly affected the history of these Territories. In 1856 and 1857 the tribal priest of the

Amaxosa persuaded practically the whole of his tribe to slaughter their cattle and destroy their grain. He represented to them that he was in touch with their ancestors, who, if they did what he told them would return in great glory and power and wealth and drive the White Man into the sea. The wholesale deaths from starvation that followed this act of calculated madness broke the power of the most warlike of their tribes and left a large extent of country vacant, thus paving the way for the subsequent extension of British rule to these Territories.

I have already mentioned that by the year 1847 the country as far as the Kei had been annexed. After the cattle killing a large extent of the country occupied by the Amaxosa on this side of the Kei was handed to the Abatembu, while 40,000 Fingos were brought from the Cape and located in Fingoland.

These various people were supposed to govern themselves but British agents were stationed among them who were given no authority whatsoever and were expected to obtain control over the Natives by sheer moral suasion. The experiment was not very successful except in the case of the Fingoes who had no paramount chief of their own. Captain Blyth who was placed with them practically made himself their chief and exercised a benevolent despotism which tended largely towards the improvement of these people. They established a fund known as the Fingo Fund for local development and this may be regarded as the nucleus of the Council system to which reference will be made later.

It must be remembered that practically the whole of the history of the confiict between Natives and Europeans in the Cape Colony falls within that portion of the Victorian era when those who guided the destinies of the British Empire had a firm belief in the rapid perfectibility of the whole human race, and when the hopes built upon this belief were at their highest. When the Natives in the Cape Colony Proper were annexed it was thought possible to assimilate them and make them civilised citizens of the Empire in a few years. It was expected that under the teaching of the missionary and the influence of European laws they would rapidly drop their Native customs and become what might be termed "Black White men." Their customs were therefore ignored in the courts of law. They were left under the jurisdiction of officers under the Law Department who had no special interest in Native Affairs and who with a few exceptions have entirely failed to keep in touch with the Natives. But the hope on which this system was built could not be

realised in a brief span of years. The customs of a race are not separable from the race. They can be changed only as their mentality develops. Arbitrary methods will not bring about a healthy development; the growth must come from within.

In the interval which elapsed between the annexation of the Territories as far as the Kei and the extension of British rule beyond that river it became evident that the Natives were clinging to their customs and as a whole were quite unfitted to adopt European ideas of land tenure. Therefore when the Cape Colony, which meanwhile had been granted responsible Government, prevailed upon a reluctant Colonial Office to allow the annexation of territories beyond the Kei, a unique feature in the government of the Natives was introduced. Only such laws of the Cape as were suited to the conditions under which the Natives were living were applied to the newly acquired territory, and the Governor-in-Council was empowered to draw up regulations which would have the force of law. These regulations are published by Proclamation in the Gazette and in the session following publication are laid before Parliament which retains the power of repealing or amending them. No acts of the Cape Parliament were enforced unless proclaimed so by the Governor or expressly extended to the annexed territories in the Acts themselves. With Union this last provision was modified and now Union laws apply automatically unless the Territories are specifically exempted.

This enables the Government to legislate for the special needs of a comparatively primitive people whose evolution has been accelerated through contact with a higher civilisation and whose changing conditions require closer attention than can be given by a legislature whose time is taken up mainly with European affairs.

Another unique feature is that the Minister, now the Prime Minister, who holds the portfolio of Native Affairs, administers the Territories through officers of the Native Affairs Department whose duty and interest it has always been to keep the well-being of the Natives in the forefront of their administrative horizon.

The annexation of these Territories began with Fingoland in 1877 and ended with Pondoland in 1894. With the inclusion of the last mentioned territory the country extending from the Kei to the Natal border and from the Drakensberg Mountains to the Indian Ocean became what is virtually a Native reserve under a single administration. The territories, comprising an area of 16,000 square miles of which 13,000 are Native locations, inhabited by a million Natives, are divided for

administrative and judicial purposes into twenty-seven districts each under a Magistrate. The Magistrates in turn are under the direct control of the Chief Magistrate who is responsible through the Secretary for Native Affairs to the Minister.

Before passing on to a description of the system of Government, I wish to mention the name of Sir Henry Elliot, late Chief Magistrate of Tembuland, who played a great part in placing this administration on a proper footing. He was Canadian-born and had retired from the army when he received his appointment. He was a gentleman of outstanding character and a living embodiment of all the best principles of British justice. He exercised a wonderful influence upon the Natives who have the great virtue of recognising a real man when they see him. He stamped his influence upon all who came into contact with him and has left a tradition behind him which still animates the whole of of the Public Service in these Territories.

Under the terms of annexation the Governor assumed the legislative functions of the various paramount chiefs but the latter were granted substantial stipends by way of solatium. Their social status was recognised and they are regarded as the representatives of their tribes and consulted on all matters of importance. The sub-chiefs became paid Government headmen and under the direction of the Magistrates they play an important part in the administration. The reverence and genuine affection with which the late Queen Victoria was regarded by the Natives made the transition easy. The Natives were impressed with her great power and her goodwill and were predisposed to accept the guidance of her representatives in this country. The Magistrates with infinite tact and patience trained the Natives to appreciate the measures taken for their benefit and to this day they are freely consulted by the Natives in matters, both great and small, that affect them.

Native custom was recognised. The result was that the life of the ordinary Native was hardly affected. His social fabric was left practically untouched and portentous as the change was it was effected without violent dislocation. The continuity of the tribes and clans was preserved, and the future was left to grow out of the past and present in the ordinary process of evolution that contact with a higher civilisation made inevitable.

The criminal side of the Transkeian judicial system need not keep us long. The procedure is in general the same as elsewhere in the Union and while the criminal law adminis-

tered is embodied in a penal code—by Act of Parliament—that code, with two exceptions, might equally well have been applied to the whole of the Cape Colony. In only two respects are its provisions peculiarly designed to conditions in Native areas. It has in the first place taken over from Native custom the provisions of the "spoor law", i.e. if stolen stock is traced into a location the people of the location must take up the trail and if they fail to trace the stock the location has to compensate the owner; and secondly, it contains two or three sections to deal with the suppression of witchcraft. Otherwise it is just a concise definition of the common criminal law.

As regards intoxicating liquor, a policy of prohibition is embodied in the regulations. Liquor is imported only under permit and may only be obtained by Natives under the written authority of a Magistrate, which is sparingly given. This policy is one of the factors that makes for a peaceable, contented and increasing Native population.

An appeal in criminal cases lies from the Magistrate's Courts to the Supreme Court—in practice to the Eastern Districts Provincial Division at Grahamstown. The Chief Magistrate's judicial functions do not touch criminal matters at any point though his advice may be sought on points affecting Native policy or administration. The Solicitor-General at Grahamstown is in general charge of prosecutions, while a police prosecutor is appointed at each magistracy.

I come now to the civil side of our Transkeian judicial system.

Except as regards suits for divorce or judicial separation, the civil jurisdiction of Magistrates is unlimited—in which respect they occupy an unique position in the Union. Matrimonial cases may come before the Court of the Chief Magistrate in which the procedure is simple and economical, or before the Eastern Districts Provincial Division of the Supreme Court.

The next point to be specially noted is that Magistrates, sometimes with the aid of Native assessors, try all suits to which the parties are Natives, according to Native custom when the matter at issue is susceptible to Native law. But, differently from Natal, Native law has in these Territories never been crystalised in a code. It has been changing insensibly for centuries and contact with our civilisation must affect it deeply. Written laws are too inflexible to suit a people whose customs are in a state of flux.

A Native Appeal Court, with the Chief Magistrate as President and two Magistrates as assessors, hears appeals in

which Natives only are concerned, from the district courts. Here also, when necessary, the assistance of Native assessors is invoked to help the Court in defining the law when doubt arises. This Court meets thrice yearly at four fixed centres. The reports of all its more important decisions have been published and furnish a valuable exposition of Native law and custom both in its pure state and as modified in the passage of time by the gradually changing circumstances of the people in their approach to civilisation.

Neither in criminal nor civil matters have Native chiefs and headmen any jurisdiction. They may, however, and frequently do, act as arbitrators in disputes submitted to them.

The control of land matters naturally occupies a most important place in our administration. Reference has already been made to the essentially communal idea with which the Natives look out on life. Prior to annexation all land was regarded as vested in the chief as representing the tribe, and land was given out by his petty chiefs or headmen to each man for the use of his household. Polygamists obtained a separate land for each house. But the land was not alienated. It continued to belong to the tribe and not even the chief could alienate it. If a man permanently left the tribal area he forfeited all claim to the occupancy of tribal land in common with all the rights as a member of the tribe. When a man died the land reverted to the chief though in fact the occupancy was generally taken over by the heir of the house.

Upon annexation this communal or tribal tenure was retained except that the Chief Magistrate as representing the Government took the place of the chief and land was allotted by the Magistrates with the approval, according to regulations, of the Chief Magistrate. In practice, however, the headmen of the locations into which districts were divided, allotted the lands and Magistrates were only concerned when disputes arose. The allotment of land now became bound up with the payment of a definite hut tax fixed at 10/-. Ever since, land and taxation have been intimately connected with each other. When a man obtained an additional land for a new wife, he paid an additional ten shillings to the revenue. By degrees the allotment and registration of land was placed upon a regular basis, and this is the system which still obtains in 20 out of the 27 districts to-day.

Experiments on an extensive scale in the way of making individual grants of land to Natives in locations were made in the Ciskei. They were too advanced and proved a com-

plete failure. Cecil Rhodes' famous "Glen Grey Act" of 1894, first reduced the grant of small arable lots to Natives on quitrent tenure to a manageable system. It was not till 1898, that the Glen Grey Act was extended to these Territories. Seven districts are now included under its provisions. Arable lands of approximately 4 morgen are granted to Natives subject to payment of quitrent at the rate of 3/- a morgen, with a minimum of 15/- per lot. Half-morgen building lots may also be granted at a quitrent of 2/6 per lot. The titles provide for forfeiture on certain conditions, chief among which is failure to pay the quitrent for two years. Succession is governed by regulations based on the Native laws of succession. Transfer otherwise than to an heir is subject to the approval of the Chief Magistrate. A Deeds Registry for Native titles under this form of tenure is established in the Chief Magistrate's office, where some 50,000 titles are at present housed and where a record of all transfers, forfeitures, reallotments, etc., is kept. The system in the Territories has been rendered more elastic than in the Glen Grey district for which Parliament alone can legislate, by regulations under the legislative powers of the Governor-General.

This, the most advanced system of Native land tenure in the Territories, has been evolved from the original tribal tenure adapted to modern ideas of individual ownership. Commonly the particular land granted under quitrent to a Native is the same as he occupied under the communal system before survey and grant were introduced. The Natives, speaking generally, do not yet fully appreciate all the implications of the change from communal to individual ownership.

The Magistrates are also Receivers of Revenue and sub-accountants to the Department of Finance as well as district agents for the Departments of State that have no other representatives in these Territories.

The Police Force consisting of 242 Europeans and 276 Natives under a Deputy Commissioner with headquarters at Umtata, is part of the South African Police Force.

The Union Agricultural Department has its own organisation for dealing with the administration of the Stock Diseases Act with a Senior Veterinary Officer and three Senior Sheep Inspectors in local control.

The Union Forest Department is responsible for the Government forests and plantations and the local head thereof is a Conservator of Forests stationed at Umtata.

All these heads of branches keep in touch with the Chief Magistrate and their subordinates in districts with Magis-

trates, and consultation takes place with regard to all measures which affect the Natives.

A special feature of the Police Force is the small Mobile Squadron, with headquarters at Umtata, ready at a moment's notice to deal with serious faction fights. It is a credit to all concerned that the Europeans in these Territories have less reason to be nervous about life and property than they would be if they were living in any of the large cities of the world.

A District Surgeon is placed at the disposal of the Magistrate of each district to deal with matters affecting public health. The Provincial Council is responsible for the main roads of the Territories and the Transkeian Territories General Council for the district roads in its area. The Provincial Council is also responsible for the control of education both European and Native, and the Superintendent-General of Education is assisted by a Chief Inspector for Native Education, and a number of School Inspectors.

A chart which shows in graphic form the organs through which the Union Government governs these Territories has been handed to you.

This will be a convenient point to touch upon the present position of the Native people and to consider what is being done to assist them and what they are doing to assist themselves. Before the Natives came under European control the question of land and population was one of easy solution. Periodic famines kept the numbers down to what the country could support but if the Natives increased beyond that number the remedy for any particular tribe was to endeavour to drive away its neighbours. These military operations, whether successful or not, usually left the survivors with ample room to live once more their spacious tribal existence. But those happy days are over and as happens everywhere else in the world the pressure of population makes it necessary for the Natives to advance to a further stage of development.

You have seen a fair sample of the country, only you have seen it at its worst from drought. It was once sparsely populated and fifty years ago no one took thought for the day when it would be populated as thickly as it is now. The Natives were extraordinarily reproductive and at one time their rate of increase was so rapid that they doubled their number in every 25 years. Between 1891 and 1921 the population has grown from 670,000 to 1,000,000. This shows that the rate of increase is being retarded. I simply mention these figures but will not attempt to account for the fact. The average density of the population is 58 per square mile and

in some of the best districts the density is in the neighbourhood of 80 per square mile. The country under existing conditions cannot from its own resources support all its inhabitants, the great bulk of whom are peasants with small holdings. You will find Natives from these parts in all the large industrial centres; at the ports, and wherever great works are being carried on. They are gradually establishing a reputation as the most intelligent Native labourers in the Union. It may be taken as a fact that at any given moment nearly half the able-bodied men whose permanent home is in these Territories are earning the money for the support of their families in areas outside these Territories. I must mention in parenthesis that the recruiting of Natives is subject to Government regulation and there is a special Department to deal with the welfare of Native labourers.

Primitive people are the most conservative people on earth, and clog the wheels of progress in any country which they inhabit if not made receptive of new ideas. The penalties imposed on persons convicted of witchcraft have resulted in preventing the worst abuses of the past, but witchcraft is still firmly believed in and is practised in secret all over the Territories. Some of the other Bantu social institutions are a handicap to progress but you cannot break them down unless you have something with which to replace them. New ideas are however making headway and the useless elements of the old social fabric will die away as the new growth takes their place.

The country has to thank the Missionary Societies and the individual missionary for the devotion which they have shown in introducing Christianity among the people. They began their work in the dangerous days before the white man took control. Very early in the missionary career it was found that education was one of the principal agents for awakening in the minds of the Natives an appreciation of the higher values. They therefore founded schools which eventually became State-aided and are now almost entirely supported from public funds. But the Missionaries have remained as Superintendents and correspondents for the schools which were founded by their church or society. They do this work without any remuneration from the Government and it would be very difficult to do without their services. There are now 1,100 schools in the Native locations in these Territories; 2,300 Native teachers and 77,000 pupils in attendance. The cumulative effect of many years of missionary work and teaching has helped to prepare the people for the developments which are now taking place. The large mission

stations, at many of which there are training institutions for Native teachers, are generally held under titles issed by the Governor in the name of the religious body concerned and—save in one or two instances—in trust for the Natives. In extent they vary from five to several hundred morgen. The "outstations" consist of half a morgen or so of land granted by the Governor containing generally a single building used for both church and school purposes. While church sites are granted freely wherever required by a substantial congregation, school grants are not given in respect of any school within three miles of an existing Government school. This measure is necessary to prevent overlapping and to minimise the somewhat detrimental competition between the various religious bodies. No essential distinction is made between applications from the well-known European controlled missionary bodies or from bodies organised and controlled by the Natives themselves—of which latter there are a large number—except that the Government requires to be well satisfied of the stability of a new body before trusting it with land. Apart from this all applications are considered on their individual merits.

Unfortunately for many years the Native school children were put through the same curriculum as was provided for European children, but in 1919 a Commission, which was appointed to go into the question of Native education, made recommendations that are being given effect to for adapting the school curriculum to the needs and requirements of the people. A special feature is made of the training of Native children in handicrafts and this afternoon you will see some of the results when you visit St. John's College. School gardening will, it is hoped, be a prominent feature in the curriculum and generally speaking the education now provided is more likely to bring out the best that is in the Native than has been the case in the past.

There are about 600 trading stations scattered throughout the Native locations Before annexation it was usual for the European trader to obtain a licence to trade and land on which to establish his store from the Native Chief, and a large number of existing stores date back to this state of things. Upon annexation however traders were required to take out a Government licence and no licence may be issued without the approval of the Chief Magistrate. Trading sites, 5 morgen in extent, are granted by the Government, and no new site or licence to trade in a location is granted for a station within five miles of an existing station. This regulation on the surface looks like a restraint upon trade, but in practice the

elimination of undue competition has enabled the majority of traders to maintain a decent standard of commercial integrity to the benefit of all concerned. Facilities for trade are a prime necessity without which a large population cannot exist, but the trader, in addition to carrying out his legitimate business, often exercises an excellent influence upon the life of the Native community.

I have dealt fairly fully with the work which the European is doing to assist the Native to rise, and must now turn to the Transkeian Territories General and District Council system in which the Native is called upon for direct co-operation in all measures that affect his welfare. These Councils are associated forever with the name of Cecil Rhodes. It struck him that there was a large and growing Native population which was not represented in Parliament, which was apathetic with regard to progress, and which had no knowledge whatever of how a Government in a civilized country was carried on. He also recognised that however good the intentions of the Natives might be the experience in local Government and the financial lever with which to effect improvements were lacking. He therefore passed the Glen Grey Act through Parliament, establishing a District Council in the District of Glen Grey on the lines of the Divisional Councils of the Cape.

The Fingos have often proved the pioneers of progress among the Natives and the first four District Councils were created by Proclamation in Fingoland in 1895, when they were united in the Transkei General Council. It was not the policy of Government to force the Council upon an unwilling people in advance of their desires, but in course of time the system has extended until there are now 18 District Councils united in the Transkeian Territories General Council, and three District Councils united in the Western Pondoland General Council.

A District Council consists of the Resident Magistrate and six members and is constituted in the following way:—At the formation and thereafter triennially nominations for membership are called for. Two of these are made by the Governor-General, four by the local representatives of the ratepayers. In the surveyed districts the local representatives are elected by a college of electors formed by calling together three members elected from each ward. In the other districts the headmen originally nominated the local members at a meeting specially called for the purpose. In course of time district after district applied for the extension of the more popular manner of electing members to their areas, and now the

majority of districts are divided into wards for election purposes in the same way as is done in the surveyed districts. In other words the ratepayers now prefer to be represented by their most intelligent men, whether they are headmen or commoners, instead of relying on their headmen only.

Each District Council meets quarterly or oftener if called by the Magistrate, and at each November meeting it nominates two of its members to the General Council for the following year. The Governor-General nominates another member who need not necessarily be a District Councillor and these members from the various districts together with the Magistrates, form the Transkeian Territories General Council which consists at present of the Chief Magistrate of the Transkeian Territories as Presiding Officer, eighteen Magistrates and 54 Native members. The Chief Magistrate calls the Council together during the Autumn of each year and the sessions usually last a fortnight.

The District and General Councils are not executive bodies but act as advisories to the administration. They associate the people with the control of local funds and give them a voice in the disposal of affairs affecting their interests. They are trained to constitutional methods of expressing their wishes in regard to general and local policy; they keep the Government and its officers in touch with local feeling. Debates cover a wide range of subjects, as can be seen by reference to the agenda paper contained in the Blue Book, copies of which have been circulated among you. Notices of motion are brought before the Council by Magistrates or members, either individually or on behalf of District Councils, and the Government also refers matters for the consideration of the Council. The resolutions of a Council (District or General) having been taken, responsibility for action rests upon the Magistrate, the Chief Magistrate or Government according to the importance of the matter involved.

The District Councils are the local organs for the General Council, which distributes among them such duties as Road maintenance, management of dipping operations, control of commonages and plantations, but remains financially responsible for their actions. They have no separate income or expenditure. The revenue goes to the General Council which pays for the cost of the services authorised. The establishment of this common fund makes it possible to control the expenditure throughout and enables resources to be pooled for the undertaking of operations which are too big for a district organisation.

The main source of revenue is a rate levied annually by the Government. Although in theory it is variable, it has practically been fixed at 10/- on every adult male. The revenue from General Rate is now well over £70,000 annually, while the revenue from all sources is over £110,000.

After the General Council concludes its labours all the Magistrates of the Transkeian Territories meet in conference. They review the Council resolutions first and then pass on to matters of general administration. These Conferences are attended by representatives from other Departments and the annual exchange of ideas plays a great part in the smooth administration of these Territories, and is of much assistance to the Chief Magistrate, upon whom rests the responsibility under Government of the control of the whole organisation.

Fully-qualified engineers are employed on Public Works. There is also a Director of Agriculture, a Superintendent of Plantations, and a secretarial and financial branch. A Pension Fund has recently been established for the officers of the Council. Between 1903 and 1924, the General Council, from purely Native sources, has spent upon education £412,000; on roads and other public works £386,000; on agricultural and pastoral development £417,000; and since 1915, it has spent £223,000 on the dipping of cattle, for which purpose a stock rate varying from 6d. to 2/- has been imposed. Altogether it has spent £1,632,000 on development, very little of which would have been possible if there had been no Council.

In an early part of my address I mentioned two unique features of the Transkeian administration, namely Government by proclamation, and the administration by expert officers of the Native Affairs Department. To these I must now add the General Council. Proceedings are parliamentary in character, and I am sure that all of you would be impressed with the decorum that characterises the debates and the cordial relations which exist between the side benches and the magisterial tables. The material benefit to the Natives is only half the boon. The value of the consultation with the Natives, of the training in the science and practice of local government which the Council affords, the call which it makes for intellectual effort and the value of the interest which the Natives take in the proceedings of the Council, cannot be estimated in pounds, shillings and pence. It can only be appreciated at its full value by those who know how the quality of the members is improving, and can compare the all-round progress of the Council districts with those that have no Council.

The Western Pondoland Council system is less democratic than the Transkeian Territories General Council system inasmuch as the Chief nominates the local members of the Council. It is also less advanced in many respects as the ratepayers themselves are more backward.

In Eastern Pondoland, where there is no Council, there is a Trust Fund, to assist in the development of education and to carry out dipping operations. This Fund is also controlled by the Chief Magistrate.

As stated before the work of the missionaries and the Education Department has paved the way for the stage of more rapid development, which has received a great impetus through the institution of the Council system.

The outbreak of East Coast Fever in 1910 was a calamity of the first order, but like many calamities of this kind, it has proved a blessing in disguise. At first the Natives regarded it as white magic introduced among the cattle with the object of impoverishing the Natives, but in the years that have passed since then it has been borne in upon the Natives by firm administration, by propaganda and demonstration, with all of which the Councils are intimately associated, that the tick was the means by which the disease was communicated from one animal to another. Since 1918, when statistics began to be kept, the number of cattle has increased from 464,000 to over 1,000,000. To-day East Coast Fever is only found in a few locations and it is confidently anticipated that the disease will have totally disappeared within a few years. Incidentally it has made the Natives realise that their theory of magic does not account for everything and that East Coast Fever is due to natural causes which can be kept under control. The effect upon the mentality of a people like the Natives is incalculable. It made a special appeal to them because of the peculiar value which they attach to cattle, which they do not regard as merchantable articles but as quasi members of the family.

The Council has also contributed liberally to the support of hospitals, and the way in which the Natives avail themselves of the facilities offered for treatment shows that they have begun to lose faith in their Medicine Men, and this is striking another shewd blow at their superstitious practices.

But perhaps the most important development in recent years has been the impetus given to agriculture in these Territories by the Agricultural Institutions, one of which you saw on the way up. Students from these Institutions have been appointed as Agricultural Demonstrators who by actual work in the field show what can be done by improved methods.

The Agricultural Director of the General Council is also the Chief Demonstrator. He is assisted by two Europeans to control the work of the Native demonstrators. The first two of these were appointed in 1916 and there are now thirty in the field and the people are crying for more. The success which has met their efforts has proved astonishing to the most optimistic. Agricultural Societies are springing up all over the country. At Native meetings agricultural and pastoral affairs are discussed with the keenest interest. Agricultural implements are being imported in ever-increasing numbers. The Natives are commencing to buy superior bulls and rams with which to improve their stock. The Agricultural Shows which are held annually at four different centres are a striking testimony to the solid progress which is being achieved. The Rain Doctor is being replaced by the demonstrator. Fertilisers are being preferred to charms. The new methods appeal to every class of Native, heathen as well as Christian.

Agriculture is to many of them no longer an industry controlled by the capricious will of the ancestors or of magicians. The connection between cause and effect is being brought home to them, as well as the fact that they can of their own volition make use of the forces of nature—an idea which had hardly occurred to them before. The vicious circle in which the Bantu people have been revolving for countless generations has been broken at last, and definite progress is now being made in a definite direction. The Natives have come South to a climate where a vigorous white civilisation has been firmly established, and is thus in a position to make its influence felt. These Territories have been a social experimental laboratory for nearly fifty years—a period of time which is nevertheless so short that Mr. A. H. Stanford, late Chief Magistrate, to whom with his brother Senator Sir Walter Stanford, the Council owes so much, joined this service on annexation, and is still in our midst, while Mr. Welsh, our youngest Chief Magistrate, was as a child besieged by rebellious savages in the gaol of the Tsolo District where his father was Magistrate.

I am sorry that Mr. Thomas is not here to-day as I wish to make an appeal to him in his capacity of Colonial Secretary. Our work here, which is still in its early stages, may or may not be of ultimate value, but it would have obviated much trouble and disappointment if the results of the science of social anthropology had been available earlier.

In the interests of our own civilization the resources of Africa require to be developed and there are large portions of this great continent which for all time will depend upon the black man for development. It would be a step in the right direction if the principal states which are interested in the affairs of the African Natives were to co-operate in the establishment of an Anthropological Bureau to make a comprehensive study on modern lines of the social organisation and psychology of the African races, which are at various stages of development, of which so little is known. Such a study would shed light on much that is puzzling in our own civilization, and would enable the practical administrator to apply the knowledge gained to his main task, namely, that of preserving law and order among the Natives, and of providing them with rational opportunities to rise to a stage from which they can work out their own salvation.

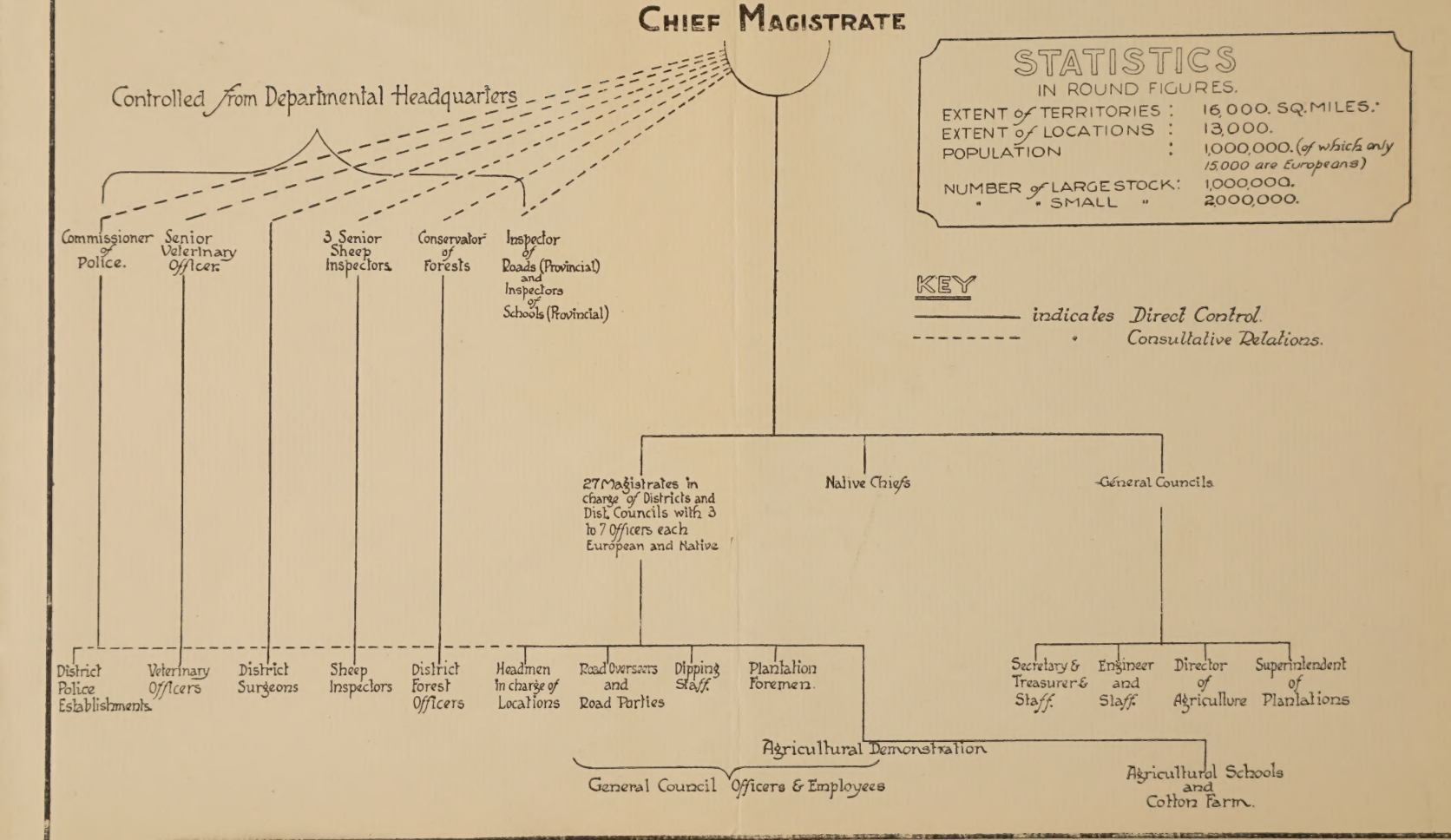
After Col. Muller had delivered his address, the Chief Magistrate introduced Sir Robert Hamilton, Liberal member of the British House of Commons for Orkney and Shetland. Sir Robert had had long service in East Africa, and until recently was Chief Justice in Kenya.

Sir Robert Hamilton said he was sure all his colleagues had listened with the greatest interest to the admirable paper which had been read to-day. He could not imagine a more comprehensive survey of the administration of these Native Territories or having it put in a clearer form than Col. Muller had put it before them that day. It was always very difficult in giving such a survey to know what should be left out and what should be included, but in this Col. Muller had succeeded most admirably, and had given them a bird's eye view of what happened in the Transkeian Territories. He ventured to suggest that Col. Muller's paper be printed in pamphlet form. There were various points which he would like to refer to, but as he was limited to ten minutes, he would only make one or two general remarks. Throughout the whole Empire whether in Canada, Australia or New Zealand, the white races had always come into contact with the aboriginals. In Canada and Australia the Native races where vanishing, and in New Zealand they had that magnificent race of Mories. In South Africa they had a problem which stood entirely alone, and different from what they had in other parts of the

Empire. It was particularly interesting to them from other parts of the Empire to see the experiments which were being carried out there. Col. Muller had referred to them as experiments but it would seem that they had proved absolutely on the right lines. Col. Muller had referred to a very important point, that was that the Natives in South Africa living in their tribal and communal state had no idea of individualism as they understood it. When the two races came together, that was the first clash. When the Missionaries began to work in that country they taught the people that they had an individual soul, which was up against the whole system of the Bantu idea. When civilisation put itself alongside the Native system it infringed the Native system. It must, as they could not have civilisation standing still. If civilisation stood still it would begin to go back. Civilisation was bound to go on though it was up against the million Natives they had in that country. The real programme they had in that country was to direct the course of civilisation in regard to the Native tribes there. In the Territories they had approached the matter from a different angle, and while fostering the Natives' own system they were building on the European system. He thought those were the right lines on which they should proceed. After referring to the spoor law, Sir Robert said the mistake had been made in East Africa of bringing the country under one law. They had found in practice, as had been found here that obviously the best way of dealing with the Natives was through their own system. The Council system in the Territories seemed to have been developed on most admirable lines. He did not know whether any other member of the delegation had had the opportunity of reading the Blue Book of the proceedings of the Transkeian Territories General Council, but he confessed that he had sat up till 2 o'clock in the morning reading it, and had found it the most fascinating thing he had ever seen in South Africa. It not only gave the proceedings of the Council, but also the estimates, reports of Select Committees and the whole of the details of the Transkei administration. They read in the book how wisely the Chief Magistrate directed the Council in its debates, and how in a few words a debate which had gone off the lines was brought back again; how foolish motions were shelved; and how matters which required more deliberation and consideration were adjourned. He could only say that after reading the book he was more than ever convinced that in the Transkei

the officials were guiding the destinies of the Natives in the right way. In conclusion he could only say that in dealing with Native races, their policy must be Justice, absolute evenhanded Justice, and the officials must have infinite patience. They could never get the confidence of the Natives unless they had infinite patience, and they must also have sympathy. In mentioning the word sympathy he only hoped that the magnificent address delivered in Basutoland to the Natives would be broad-casted throughout the country. Sympathy must be the foundation of all administration in the Native Territories. In the survey given by Col. Muller, he had mentioned the important matter of land. In the matter of land they must deal fairly with the Natives, and he was particularly interested in the advance made in regard to individual title in the Territories. That was a very big advance. Directly Natives acquired individual title to land, it meant a big advance from the original communal state. Not only that but it would inevitably mean that the land would be better cultivated and the result would be that the food reserve would be very much greater than it was now. It would also solve to some extent the problem of the increasing Native population. The Natives were the greatest asset to South Africa, and it was in the interest of the Europeans to see that the Natives were developed on the best lines, as they were the best asset South Africa had. He would like to say on behalf of the delegates how very much they appreciated the paper read by Col. Muller.

Administrative Machinery of the Transkeian Territories



STATISTICS
IN ROUND FIGURES.

EXTENT of TERRITORIES	:	16,000. SQ. MILES.
EXTENT of LOCATIONS	:	13,000.
POPULATION	:	1,000,000. (of which only 15,000 are Europeans)
NUMBER of LARGE STOCK	:	1,000,000.
" " SMALL "		2,000,000.

KEY

——— indicates Direct Control.
- - - - - - - " Consultative Relations.

ADDRESS ON THE ADMINISTRATION OF THE TRANSKEIAN TERRITORIES.

DELIVERED BY

LIEUT.-COLONEL E. H. W. MULLER,

SECRETARY AND TREASURER OF THE TRANSKEIAN TERRITORIES GENERAL COUNCIL.

ON THE OCCASION OF THE VISIT TO UMTATA, ON THE 15TH SEPTEMBER, 1924, OF THE DELEGATES ELECTED BY THE BRANCHES OF THE EMPIRE PARLIAMENTARY ASSOCIATION IN THE PARLIAMENTS OF THE UNITED KINGDOM, CANADA, AUSTRALIA, AND NEW ZEALAND.